



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/815,399	03/10/97	LYNCH	J 85160.911CII

GARY A HECKER
HECKER & HARRIMAN
2029 CENTURY PARK EAST
SUITE 1600
LOS ANGELES CA 90067

LM21/1027

EXAMINER

MOHAMED, A

ART UNIT

PAPER NUMBER

2763

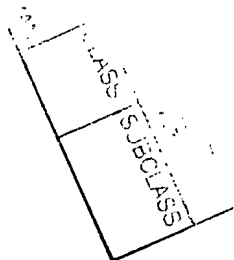
10

DATE MAILED:

10/27/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Office Action Summary

Application No.
08/815,399

Applicant(s)
Lynch et al.

Examiner
Ayni Mohamed

Group Art Unit
2763



☒ Responsive to communication(s) filed on Jul 28, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-4 and 16-48 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 34 and 35 is/are allowed.

☒ Claim(s) 1, 2, 17-20, 24, 30, 36, 37, and 41-48 is/are rejected.

☒ Claim(s) 3, 4, 16, 21-23, 25-29, 31-33, and 38-40 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2763

1. Claims 1-4 and 16-48 remain for examination.
2. Claims 1, 2, 17-20, 24, 30, 36, 37 and 41-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richek et al in view of Nuttall et al.
3. Richek et al taught a configuration system, as example in claim 1, including:

defining in the computer system an element model (system configuration file) consisting elements used to configure elements of the model (e.g., see col. 21 lines 21- et al) and creating a plurality of components of the system in response to configuration requests (e.g., see col. 22, lines 10 - et seq).
4. Richek et al did not teach creating components as instances of elements in the model.
5. Nuttall et al taught modeling a physical system of elements and creating components of a system as instances of elements (e.g., see col. 5, lines 61 - et seq).
6. It would have been obvious to a person of ordinary skill in the art to combine the teachings of Richek and Nuttall et al, especially using the object oriented information model system of configuration of Nuttall's system in Richek's system will make the system flexible system.
7. Since claims 17, 24, 36 and 37, are obvious modifications of claim 1, claims 17, 24, 36 and 37 are rejected based on the rejections of claim 1.
8. As to claims 41-48, Nuttall et al exactly taught a configuration apparatus comprising a modeling system configured to define a model having information about elements available for system configuration (e.g., see the abstract, figs. 1-6, col. 4, lines 12 - et seq.) a configurator (20)

Art Unit: 2763


to select elements of the model in response to configuration requests (e.g., see col. 5, lines 18-et seq).

9. As to claims 43-48, Nuttall et al also taught a data model containing a class hierarchy, component, composite, connector container and port class (e.g., see col. 6, lines 1-55).

10. Claims 3, 4, 16, 21-23, 25-29, 31-33 and 38-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Any inquiry concerning this communication should be directed to A. Mohamed at telephone number (703) 305-9694.

AM
A. Mohamed/kw


KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER